Final Supplement to the

Mono County
General Plan Land Use Amendments
Final Environmental Impact Report
(FEIR)

SCH #98122016 & #2004102104

Prepared for Pumice Valley Landfill
General Plan Amendment #04-04
Use Permit Application #34-04-09

June, 2005

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I. INTRODUCTION

INTRODUCTION

The Final EIR contains the response to comments received on the Draft Supplemental Environmental Impact Report (DSEIR) for the General Plan Land Use Amendments and Use Permit for Pumice Valley Landfill. The DSEIR is incorporated herein by reference. The Mitigation Monitoring Plan for the General Plan Land Use Amendments and Use Permit for Pumice Valley Landfill is included in the Final EIR as Appendix A.

The Final EIR documents are available for the cost of reproduction from the Mono County Community Development Department offices in Bridgeport, (760) 932-5420, or Mammoth Lakes, (760) 924-1800.

CONTENTS OF THE FINAL EIR

In compliance with CEQA requirements, the Final EIR for Pumice Valley Landfill includes the following:

(a) The Draft EIR or a revision of the Draft.
(b) Comments and recommendations received on the Draft EIR, either verbatim or in summary.
(c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
(d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
(e) Any other information added by the Lead Agency.
(CEQA Guidelines Section 15132)

FINAL EIR PROCESS

The Draft Supplemental EIR for the General Plan Land Use Amendments and Use Permit for Pumice Valley Landfill was circulated for public comment from March 23, 2005, through May 9, 2005. Seven comments were received.

The Final EIR must be certified before Mono County (as Lead Agency taking action on the project) can approve the General Plan Land Use Amendments and the Use Permit for Pumice Valley Landfill. In order to certify the Final EIR, the Lead Agency must conclude that:

(1) The Final EIR has been completed in compliance with CEQA;
(2) The Final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the Final EIR prior to approving the project; and,
(3) The Final EIR reflects the lead agency's independent judgment and analysis.
(CEQA Guidelines Section 15090)

After the Final EIR is certified, the Lead Agency files a Notice of Completion, starting a 30-day statute of limitations period under CEQA for challenging the approval of the Final EIR.

Where environmental effects have been identified as significant in an EIR and the Lead Agency intends to approve the project, the Lead Agency must prepare written findings on each environmental impact identified as significant. Findings must include a brief explanation of the rationale for each finding. The possible findings are:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
(3) Specific economic, legal, social, technological, or other considerations, including provision of project alternatives identified in the Final EIR.
(CEQA Guidelines Section 15091)

When making findings to support (1) above, a mitigation monitoring program must be included in the Final EIR to ensure CEQA compliance during project implementation. A proposed mitigation monitoring program for Pumice Valley Landfill is included in Appendix A.

II. COMMENTS & RESPONSES

PERSONS & ORGANIZATIONS COMMENTING ON THE DRAFT EIR

Comments on the DSEIR were received from the following entities:

1. Bureau of Land Management (Bishop);
2. California Department of Fish and Game (Bishop);
3. California Department of Forestry and Fire Protection (Bishop);
4. California Integrated Waste Management Board;
5. Inyo National Forest, Lee Vining Ranger District, Mono Basin National Forest Scenic Area;
6. Los Angeles Department of Water and Power (Bishop); and
7. Mono Lake Committee.

The comment letters are reprinted in their entirety in Appendix B.

KEY POINTS RAISED IN COMMENTS

Comments on the DSEIR addressed the following key points:

1. Bureau of Land Management (Bishop)

a. Provides additional information concerning sage grouse use in the area and discusses sage grouse impacts and mitigation.

2. California Department of Fish and Game (Bishop)

a. Provides additional information concerning sage grouse use in the area and discusses sage grouse impacts and mitigation.

3. California Department of Forestry and Fire Protection (Bishop)

a. Provides information that the landfill is in an "unprotected" area and that CDF does not have statutory responsibility to provide fire protection services to the landfill.

4. California Integrated Waste Management Board

a. The total amount of waste received at the site is unclear in the document. Please clearly identify the waste received at the landfill and the waste received at the transfer station.
b. Page 5: "*This EIR discusses the impacts associated with the increases in tonnage, traffic volumes, permitted boundaries, and total design capacity for the landfill if and when it becomes the county's regional landfill in 2023.*" Please confirm that this includes the acceptance of waste from Benton Crossing Landfill from 2024 through 2028.
c. Page 6: "*the EIR addresses the total waste received at the landfill site, including the waste processed through the transfer station. The proposed revisions for the SWFP address only the tonnage and*

traffic for the landfill, not the tonnage and traffic associated with the transfer station since the transfer station is permitted separately." The Estimated Waste Flow and Site Life section specifically states these calculations do not include tonnage processed through the transfer station. Please include the tonnage received at the transfer station. Also include the amount of waste diverted, not just landfilled. The total amount of waste received at the site (landfill and transfer station) should be used for CEQA analysis.

d. Page 7: "*The draft SWFP for Pumice Valley landfill includes a maximum tonnage of 1,550 tons per year (maximum 110 tons per day) to reflect the total waste volume projected to be received in the year 2023, before the countywide waste stream is transferred from Benton Crossing Landfill. This figure of 1,550 tons per year reflects the total waste (landfilled and diverted) estimated to be received at the landfill in 2023.*" Again, this does not include the waste received at the transfer station, correct?

e. Page 9: "*…in 2023, before the countywide waste stream is transferred from Benton Crossing Landfill.*" "*….the following calculations are for the landfill only…*"

- The total amount of landfilled waste is estimated to be 836 tons per year in 2023.
- The total amount of diverted waste is estimated to be 714 tons per year in 2023.
- The total amount of waste (landfilled and diverted) is estimated to be 1,550 tons per year in 2023.

The waste quantities/volumes for 2002-2004 on page 7 are for <u>both</u> the landfill and transfer station. These numbers indicate that the site received an annual average of 1,465 tons of waste from 2002-2004. Using these figures, the transfer station is estimated to receive 0.4 tons per day in 2023. This does not seem reasonable when page 9 states the transfer station received an annual average of 2.8 tons per day from 2002-2004. Please explain.

f. Using the figures given in the estimated waste flow and site life section on page 9 please verify the numbers in the table for Pumice Valley Landfill and Benton Crossing Landfill are correct:

Pumice Valley & Benton Crossing (204 days/year)		
2023	1,550 tons/year	7.6 tons/day
2023	4,050 tons/year	19.9 tons/day
TOTAL	5,600 tons/year	27.5 tons/day
2023	1,550 tons/year	7.6 tons/day
2024	39,300 tons/year	192.6 tons/day
TOTAL	40,850 tons/year	200.2 tons/day
2023	1,550 tons/year	7.6 tons/day
2028	41,300 tons/year	202.5 tons/day
TOTAL	42,850 tons/year	210 tons/day

g. Page 8: "*The impacts resulting from the operation of the landfill (traffic, noise, air quality) are discussed in appropriate sections of this DSEIR.*" Page 6: "*the EIR addresses the total waste received at the landfill site, including the waste processed through the transfer station.*" Please verify if the EIR address impacts for <u>both</u> the landfill and transfer station as this does not appear to be the case because the Estimated Waste Flow and Site Life section does not include the waste received at the landfill.

h. Page 6 states "*On-site disposal is currently limited to inert debris and construction and demolition waste in an above-grade disposal area.*" Page 10 states "*Solid waste is spread in loose and relatively thin layers and compacted using three to five passes by a bulldozer.*" Is solid waste currently being

landfilled at Pumice Valley or is this statement in reference to if/when the Benton Crossing Landfill waste stream is diverted to the Pumice Valley Landfill?

i. The landfill stockpiles soil, gravel, road grindings, and similar materials generated by road construction and other projects near the working face, to be used as daily cover. Please note that this material must be included in the maximum permitted tonnage received at the landfill.

j. Page 10: "In the future, when municipal waste is accepted for disposal on-site, ADC will be applied over the active MSW disposal face at the end of each operating day, approximately six days per week." The SDEIR analyzed for operating 4 days per week (Monday, Wednesday, Friday and Saturday). Additional CEQA will be required if the facility is open more than 4 days per week.

k. The proposed project includes the implementation of an alternative frequency of cover placed in the construction and demolition waste management unit. If the landfill accepts more than 20 tons per day for disposal, the facility will no longer qualify for an alternate cover frequency per Title 27, CCR, Section 20680(f).

l. If and when the waste stream is redirected from Benton Crossing Landfill, it is estimated that the height above grade will average about 25 feet but will range from a high of 42 feet at the northwest corner of the fill area to 12 feet at the southeast corner of the fill area. What is the estimated height if the waste stream is not redirected from Benton Crossing? Additional drawings and details illustrating the site if waste is not redirected from Benton Crossing are needed.

m. The SDEIR indicates that if and when the waste stream is redirected from Benton Crossing to Pumice Valley, additional structures and heavy equipment will be temporarily located on-site. Where will they be located?

n. Throughout the document it is stated that the impacts will cease to be impacts once the site is cleared during closure construction and throughout the postclosure period. It also suggests that these impacts are "temporary." The landfill is not proposed to close until 2028; it is Board staff's opinion that 23 years is not temporary. Although the impacts may cease once it closes, the impacts must still be addressed in the SDEIR for the remaining 23 years of the landfill's existence and any long term ramifications the area will endure due to the landfill's existence at this site.

o. The Pumice Valley Landfill is located in Mono Basin which is currently a non-attainment area for the state and federal standards for PM_{10}. The SDEIR states "Traffic to the landfill is not anticipated to increase significantly over the remaining 25-year life of the landfill; potential air quality impacts from vehicle emissions are not anticipated to be significant." Table 1, Traffic Volume Calculations, indicate the peak daily traffic in 2004 is 30 and in 2028 is 178. This is a 593% increase in peak daily traffic and in Board staff's opinion, a significant increase. Please discuss the potential impacts to air quality from this increase in peak daily traffic to this site.

p. The landfill is described as "situated between ephemeral drainages on relatively flat ground elevated above Mono Lake" and "…*a visually open area with long sight lines*". There are also two designated scenic highways in the area. Board staff believes a maximum height of 42 feet at the landfill to possibly be a significant impact on Visual Resources that cannot be mitigated. Please provide post-closure photo simulations.

q. What are the possible impacts of placing MSW on top of C&D waste in an unlined disposal area, especially given it's proximity to Mono Lake and other related drainages?

5. Inyo National Forest, Lee Vining Ranger District, Mono Basin National Forest Scenic Area

a. The FEIS acknowledges that the planned expansion will result in significant impacts to visual resources, however the lack of detailed models, drawings, and an incomplete viewshed analysis leaves the degree of visual resource impacts undocumented.
b. Expresses concern about potential litter and debris and impacts that may result from a landfill expansion.
c. Points to wildlife impacts that are not discussed in the FEIR. The Mono Basin is a recovering watershed, an area that is actively being restored. While vegetation conditions may not change drastically in the next fifteen to twenty years, restoration efforts are restoring the Basin's riparian ecosystems and resulting in increased habitat for many sensitive species. While the wildlife impacts in the FEIR are mostly thorough and well analyzed, the document does not give consideration to the ecological changes and the changing needs of certain species that may result in the next decade or two.
d. The expansion of the landfill, including the acceptance of new waste products, has the potential to affect the sage grouse population known to reside from Mono Craters west to the base of the Sierra. Increased predation by animals attracted to the new waste materials and habitat impacts to the area around the landfill are a concern shared by Forest Service biologists. Provides additional information on sage grouse conservation.

6. Los Angeles Department of Water and Power (Bishop)

a. There are discrepancies in the tonnage and capacity values listed in the DEIR and those listed in the application for the revised Solid Waste Facility Permit/Waste Discharge Requirements for Pumice Valley Landfill (signed by Mono County and LADWP) in the fall of 2004. Please explain the discrepancies.
b. What are the noise related impacts of the bird cannon and what is the anticipated frequency of its use?
c. Provide more information (size, aesthetics, placement, etc.) about the use of a portable litter fence if and when waste is redirected from Benton Crossing Landfill.
d. Address potential water quality impacts to Rush Creek from the proposed water retention basin in the northwest corner of the proposed borrow pit.

7. Mono Lake Committee

a. The County should include in the DEIR a commitment to conducting further environmental analysis (i.e. a supplemental environmental document) closer to the time that the waste stream is redirected to Pumice Valley.
b. The DSEIR does not include a mitigation monitoring plan. Furthermore, it is important that the DEIR address the potential need to modify the mitigation plans (when the waste-stream is redirected to Pumice Valley), because it is likely that there will be new and better methodology available.
c. It is difficult using the engineering drawings provided within the Appendix to evaluate the changes in the landscape (especially in height), when the waste stream is redirected. The Committee recommends simulating what the project will look like using the 5 viewpoints already described in the DEIR (page 36 and 37) in order to better understand and be able to comment on the potential visual impacts to the Scenic Area.
d. Information is provided on sage grouse populations in the area.

e. On Page 37, the DEIR states that Figure 5 contains photographs of the Pumice Valley Landfill, but it's really Figure 4.

RESPONSE TO COMMENTS

Responses to the comments are presented in this section. Each comment is followed by its response.

1. Bureau of Land Management (Bishop)

Comment 1-A: Provides additional information concerning sage grouse use in the area and discusses sage grouse impacts and mitigation. Specific concerns include:

- The DEIR fails to establish a lack of sage grouse use via field exam; gives inadequate reasons for discounting the probability of sage grouse use due to location or habitat characteristics; and does not acknowledge habitat characteristics appropriate for seasonal use. The final EIR should address these issues and incorporate the recent telemetry findings.
- The DEIR does not adequately consider the project's potential effects on sage grouse of increased predation, disease-carrying mosquitoes, and fence impacts.

Response 1-A: Mono County is aware of the current sage grouse conservation efforts occurring in various areas of the County and utilized data from the **Greater Sage grouse Conservation Plan for the Bi-State Plan Area of Nevada and Eastern California** (June 2004) in developing the analysis in the DEIR. At the time the DEIR was completed, there were no maps of telemetry findings available for the Mono Basin unit. The attached map of sage grouse use in the Mono Basin (see Figure 1) is incorporated herein as part of the EIR for the Pumice Valley Landfill.

Potential for Sage grouse in the Area

The wildlife study prepared for the project was prepared by a qualified biologist, in consultation with DFG personnel in the area. It found one sage grouse pellet group in the area but no other evidence of sage grouse use in the area.

The following paragraph in the DEIR has been revised to acknowledge habitat characteristics on-site appropriate for seasonal use and to acknowledge findings from the telemetry studies of sage grouse in the Mono Basin (deletions are indicated in ~~strikethrough print~~, additions are in ***bold and italic print***):

> Impacts to sage grouse from the proposed operation of Pumice Valley Landfill through 2023 will be less than significant ~~since the area surrounding the landfill is not a major sage grouse use area, the surrounding habitat does not provide suitable habitat for sage grouse throughout the year, and scavengers are not attracted to the landfill since only inert debris and construction and demolition waste are buried there~~. ***As shown on the map of sage grouse use in the Mono Basin, sage grouse use in the area is concentrated in two distinct areas. In the spring and summer, they use the riparian areas and meadows west of Highway 395; in the winter, they use sagebrush habitat at higher elevations in the Mono Basin, predominantly at the base of the Mono Craters. There is only limited use of the area adjacent to Mono Lake, east of Highway 395 and north of Highway 120, where the landfill is located. The landfill itself, and the area surrounding the landfill, is predominantly tall sagebrush that provides suitable habitat for winter forage. BLM personnel have noted that:***

"In our own field examination we observed that the predominant sagebrush growth form at the site, with tall trunks and minimal branching and foliage near ground level, likely would not provide adequate cover for nesting; however, when winter snows are deep, the upper parts of tall sagebrush shrubs such as these may provide valuable winter habitat. The site should be considered a likely candidate for winter use by sage grouse; particularly in years when in many locations snow covers sagebrush (sage grouse's sole winter food) and thus limits availability of food plus thermal and hiding cover" (BLM comment letter on Pumice Valley DEIR).

While the landfill area provides appropriate habitat for winter use by sage grouse, it is not currently being heavily used by sage grouse. In addition, the landfill is a long-established use with long-established disturbance throughout the site. Over the next 20 years of the landfill's life, operations will continue as they are now. Since there will be essentially no change in operations during that period, it is anticipated that there will be less than significant impacts to wildlife, including sage grouse.

After 2023, if and when municipal solid waste is diverted for burial at Pumice Valley Landfill, impacts to sage grouse and other wildlife species could increase but ~~would still remain less than significant since the area surrounding the landfill is not a major sage grouse or mule deer use area.~~ ***are still anticipated to remain less than significant since the area surrounding the landfill is not a significant wildlife use area. If and when municipal solid waste is redirected to Pumice Valley Landfill, Mono County will complete a supplemental environmental document to assess environmental changes at the site. Changes in sage grouse use of the site may be addressed at that time.***

Potential for Increased Predation

Excerpts from the **Greater Sage grouse Conservation Plan for the Bi-State Plan Area of Nevada and Eastern California**, included in the Pumice Valley Landfill DEIR, suggest that a variety of factors affect the mortality of sage grouse, that several factors may affect the grouse's vulnerability to predation, and that additional information is needed to clarify the impacts of predation on sage grouse.

Since Pumice Valley Landfill currently buries only inert waste and construction and demolition waste, predators, including predatory birds, are not a concern at the landfill. This will remain the same for the next 20 years since disposal operations will remain the same as they currently are during that period: municipal solid waste will be accepted at the transfer station and trucked to Benton Crossing Landfill for disposal while inert waste and construction and demolition waste will continue to be buried onsite.

In late 2023, if and when municipal solid waste is redirected from Benton Crossing Landfill and buried onsite, that waste may attract some predatory birds to the area. Mono County landfill operations are designed to minimize access to the working face by compacting and covering trash on a daily basis. Mono County landfills practice prudent refuse management practices, keeping only the active working face exposed during working hours. The rest of the landfilled material is covered at all times and the active working face is tightly covered at

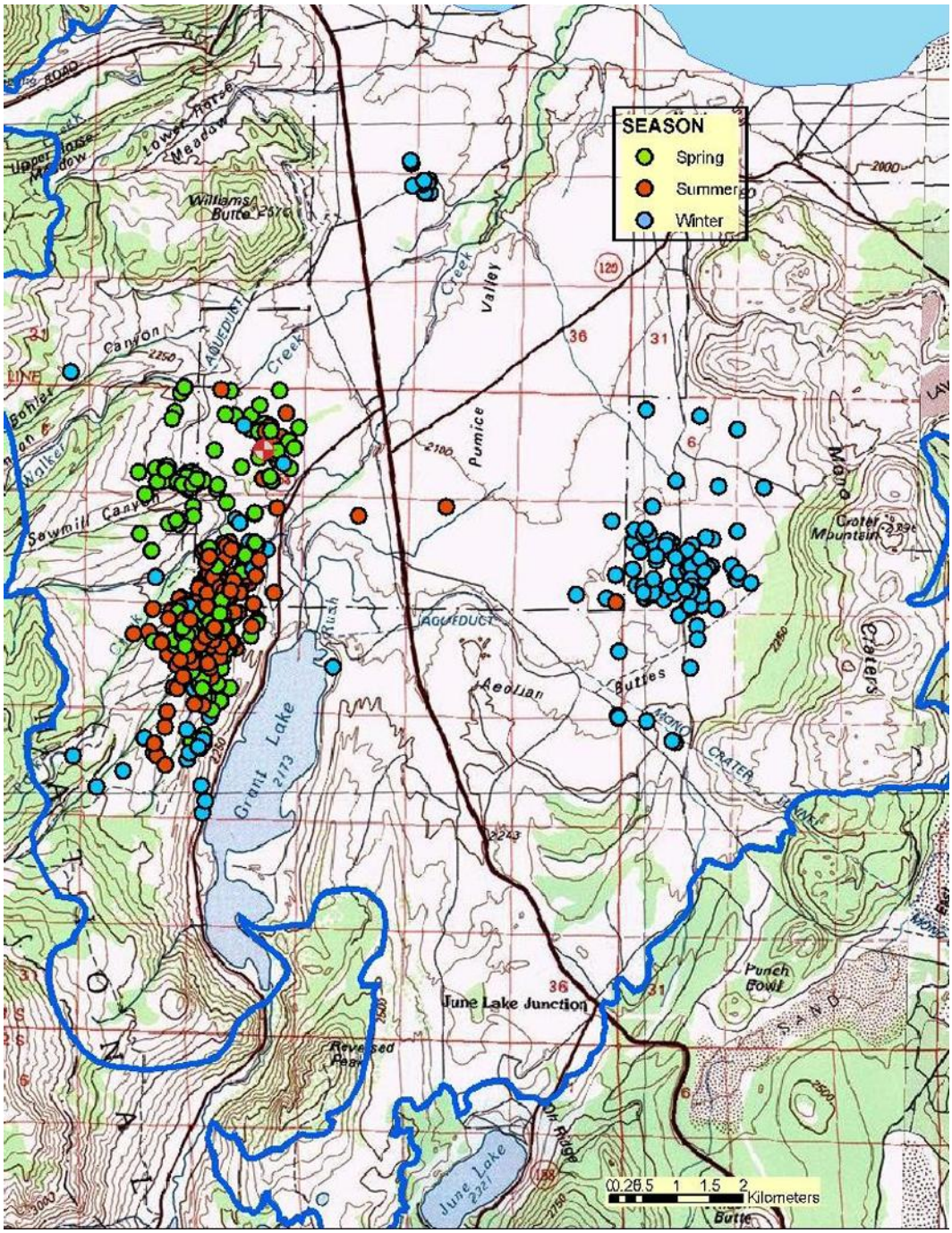

FIGURE 1
SAGE GROUSE USE AREAS, MONO BASIN
Source: USGS radio telemetry studies.

night. These practices minimize the possibility that scavengers such as coyotes and foxes can access the landfilled material and minimize the possibility that their numbers will increase as a result of the waste buried onsite. Anecdotal data from Benton Crossing Landfill staff indicates that the covered material is not disturbed at night.

Proposed mitigation measures in the DEIR are intended to minimize potential impacts from scavenger birds (crows, gulls, raptors) if and when municipal solid waste is redirected from Benton Crossing Landfill. A bird cannon will be utilized to keep away scavenger birds and poles utilized for litter fencing will be topped with spikes to prevent birds from perching on top of the poles and searching for prey.

Finally, the disposal area at Pumice Valley Landfill will expand vertically, not laterally. The total acreage designated for disposal will remain the same as it is now and only a small portion of that area, the active working face, will be exposed during working hours, minimizing the potential to attract scavengers.

Potential Impacts from Mosquitoes

The DEIR adequately addresses the potential impacts to sage grouse from standing water and the mosquito-borne West Nile Virus by noting that:

> "proper surface grading to promote drainage and prevent ponding, as well as liquid waste disposal restrictions, minimize the presence of standing water and potential insect breeding areas. Potential breeding areas or conditions will be addressed when discovered."

The landfill design for Pumice Valley landfill includes perimeter and internal run-off control facilities designed to collect and control storm flows from the 100-year, 24-hour storm event. Due to the porous nature of the soils in the area, any standing water in drainage swales or retention basins would quickly percolate into the surface. The final grading plan for the landfill is designed to promote drainage and eliminate standing water.

Potential Impacts from Fencing

The perimeter of the landfill is currently enclosed by a 6-foot chainlink fence. That will not change throughout the postclosure period. If and when waste is redirected from Benton Crossing Landfill, a portable, semi-permanent five-foot high wire mesh fence would be installed around the working face and would be moved as necessary to encompass the downwind boundary of the active working face and to minimize the escape of blowing litter. The wire mesh fence would be painted a dark non-reflective tone (dark green or brown) in order to blend into the surrounding landscape. If necessary, permanent litter fencing along the downwind edge of the fill area would be installed if and when municipal solid waste is redirected from Benton Crossing Landfill to prevent the off-site migration of windblown litter. The permanent litter fencing would consist of a 40-foot tall wire net (see Figure 1, Prototype of Litter Fencing). The litter fencing would be a non-reflective, dark color in order to blend into the surrounding landscape. It would be a short-term use that would be installed at the time municipal solid waste is redirected and removed five years later at the end of the landfill's life.

Mitigation measures mentioned in the DEIR text were left out of the mitigation section in error. The following mitigation measures will be added to the Vegetation and Wildlife section of the FEIR:

VW-6 Mono County shall work closely with sage grouse conservation efforts in the Mono Basin to minimize harm to sage grouse populations.

VW-7 The County shall restrict new construction activities during sage grouse breeding and nesting periods from March 15 through June 15 annually.

2. California Department of Fish and Game (Bishop)

Comment 2-A: Provides additional information concerning sage grouse use in the area and discusses sage grouse impacts and mitigation. Specific concerns include:

- The DEIR fails to establish a lack of sage grouse use via field exam; gives inadequate reasons for discounting the probability of sage grouse use due to location or habitat characteristics; and does not acknowledge habitat characteristics appropriate for seasonal use. The final EIR should address these issues and incorporate the recent telemetry findings.
- The DEIR does not adequately consider the project's potential effects on sage grouse of increased predation, disease-carrying mosquitoes, and fence impacts.

Response 2-A: See Response 1-A above.

Comment 2-B: The comment letter notes that:

"As habitat conditions and wildlife use levels surrounding the project area are likely to change between the present and 2023, the County will need to reassess potential impacts to sage grouse and other wildlife from the burial of municipal solid waste."

Response 2-B: Over the next 20 years, Pumice Valley Landfill will continue to operate as it does now, accepting municipal solid waste at the transfer station and disposing of a limited amount of inert debris and construction and demolition waste onsite. If it is determined that the waste stream will need to be redirected from Benton Crossing Landfill to Pumice Valley Landfill when Benton Crossing Landfill reaches capacity in late 2023, the County will need to amend the Solid Waste Facilities Permit (SWFP) for Pumice Valley Landfill to reflect the conditions associated with its operation as a regional landfill. As part of the application for an amended SWFP, Mono County will prepare a supplemental environmental document prior to the closure of Benton Crossing Landfill. At that time, changes in environmental conditions in the vicinity of Pumice Valley Landfill may be analyzed.

3. California Department of Forestry and Fire Protection (Bishop)

Comment 3-A: Provides information that the landfill is in an "unprotected" area and that CDF does not have statutory responsibility to provide fire protection services to the landfill.

Response 3-A: The DEIR is hereby amended to delete the reference to CDF providing fire protection services to the Pumice Valley Landfill, i.e.:

Fire Protection Services. ~~Fire protection services for the landfill are provided by the California Department of Forestry, Owens Valley Unit.~~ To prevent and suppress landfill fires, the Pumice Valley Landfill maintains a stockpile of cover soil in the vicinity of the working face and fire extinguishers are installed in on-site vehicles, heavy equipment, and structures. Smoking and open burning are prohibited and all landfill equipment is equipped with spark arrestors.

4. California Integrated Waste Management Board

Comment 4-A: The total amount of waste received at the site is unclear in the document. Please clearly identify the waste received at the landfill and the waste received at the transfer station.

Response 4-A: As stated in the Waste Quantities section of the DEIR (p. 7). Pumice Valley Landfill and Transfer Station received an average of 7.2 tons of waste per day between 2002 and 2004 for management or disposal.

- Approximately 61 percent, by weight, of waste received (4.44 tons per day, TPD) was processed through the landfill;
- Approximately 39 percent, by weight, of waste received (2.80 TPD) was processed through the on-site transfer station;
- Of the waste managed by the landfill, approximately 46 percent (2.03 TPD) was diverted and 54 percent (2.40 TPD) was landfilled;
- Of the waste processed through the transfer station, approximately 24 percent (0.68 TPD) was transferred off-site and 76 percent (2.11 TPD) was diverted;
- Waste diverted from the transfer station was comprised of nearly 88 percent wood, with lesser amounts of scrap metal (8.8 percent), white goods (2.4 percent) and waste tires, cardboard, used motor oil, and CRTs (<1 percent).

Comment 4-B: Page 5: "*This EIR discusses the impacts associated with the increases in tonnage, traffic volumes, permitted boundaries, and total design capacity for the landfill if and when it becomes the county's regional landfill in 2023.*" Please confirm that this includes the acceptance of waste from Benton Crossing Landfill from 2024 through 2028.

Response 4-B: It does. If and when Pumice Valley landfill becomes the County's regional landfill in 2023 it will accept waste previously accepted at Benton Crossing Landfill and will operate from late 2023 through 2028.

Comment 4-C: Page 6: "*the EIR addresses the total waste received at the landfill site, including the waste processed through the transfer station. The proposed revisions for the SWFP address only the tonnage and traffic for the landfill, not the tonnage and traffic associated with the transfer station since the transfer station is permitted separately.*" The Estimated Waste Flow and Site Life section specifically states these calculations do not include tonnage processed through the transfer station. Please include the tonnage received at the transfer station. Also include the amount of waste diverted, not just landfilled. The total amount of waste received at the site (landfill and transfer station) should be used for CEQA analysis.

Response 4-C: The project being analyzed in the EIR is the revised SWFP for the landfill and the County's Use Permit for the landfill operation; the transfer station has previously been permitted separately. The Waste Flow and Site Life section limits its discussion to the quantity of waste buried since that is how site life is calculated. However, the current and projected quantities processed through both the landfill and transfer station, including the amount of waste diverted from each, are addressed in the preceding Waste Quantities section and Waste Volumes section.

The DEIR also addresses the total waste received at the landfill site, including the waste processed through the transfer station, in other pertinent sections, e.g. traffic and associated noise and air quality impacts.

Comment 4-D: Page 7: "*The draft SWFP for Pumice Valley landfill includes a maximum tonnage of 1,550 tons per year (maximum 110 tons per day) to reflect the total waste volume projected to be received in the year 2023, before the countywide waste stream is transferred from Benton Crossing Landfill. This figure of 1,550 tons per year reflects the total waste (landfilled and diverted) estimated to be received at the landfill in 2023.*" Again, this does not include the waste received at the transfer station, correct?

Response 4-D: Correct.

Comment 4-E: Page 9: "*…in 2023, before the countywide waste stream is transferred from Benton Crossing Landfill.*" "*….the following calculations are for the landfill only…*"

- The total amount of landfilled waste is estimated to be 836 tons per year in 2023.
- The total amount of diverted waste is estimated to be 714 tons per year in 2023.
- The total amount of waste (landfilled and diverted) is estimated to be 1,550 tons per year in 2023.

The waste quantities/volumes for 2002-2004 on page 7 are for <u>both</u> the landfill and transfer station. These numbers indicate that the site received an annual average of 1,465 tons of waste from 2002-2004. Using these figures, the transfer station is estimated to receive 0.4 tons per day in 2023. This does not seem reasonable when page 9 states the transfer station received an annual average of 2.8 tons per day from 2002-2004. Please explain.

Response 4-E: The estimated waste stream calculations quoted above from page 9 of the DEIR are only for the waste received at the landfill. The landfill buries some waste it receives (inert debris and construction and demolition waste) and diverts the remainder.

While the waste quantities/volumes on page 7 of the DEIR do include volumes for both the landfill and transfer station, they are separated into the following categories:

- Volumes processed through the landfill. This number is then divided into waste landfilled and waste diverted.
- Volumes processed through the transfer station. That number is then divided into waste landfilled and waste diverted.

On an annual average for the 2002-2004 period, the transfer station received 567 tons for processing, consisting of 139 tons transferred to Benton Crossing Landfill and 428 tons diverted. With an average of 202.5 operating days per year for that period (the number of operating days per year varies depending on what days the holidays fall), the resulting daily rates are 0.68 tons and 2.11 tons, respectively. For the same period, an estimated 898 tons per year was received at the landfill, with 487 tons buried onsite and 411 tons of inert waste diverted, or 2.40 tons per day and 2.03 tons per day, respectively. The casual observer can then see that the two waste streams currently combine for 1,465 tons per year.

The waste volumes currently processed through the landfill, including waste landfilled and waste diverted, were used to calculate the waste projections for 2023.

Comment 4-F: Using the figures given in the estimated waste flow and site life section on page 9 please verify the numbers in the table for Pumice Valley Landfill and Benton Crossing Landfill are correct:

Pumice Valley & Benton Crossing (204 days/year)		
2023	1,550 tons/year	7.6 tons/day
2023	4,050 tons/year	19.9 tons/day
TOTAL	5,600 tons/year	27.5 tons/day
2023	1,550 tons/year	7.6 tons/day
2024	39,300 tons/year	192.6 tons/day
TOTAL	40,850 tons/year	200.2 tons/day
2023	1,550 tons/year	7.6 tons/day
2028	41,300 tons/year	202.5 tons/day
TOTAL	42,850 tons/year	210 tons/day

Response 4-F: The waste flow calculations in the Waste Flow and Site Life section of the DEIR address only the amount of waste to be landfilled. The correct figures are contained in Table E-1a of the RDSI for Pumice Valley Landfill. The RDSI was incorporated by reference in the DEIR (see p. 3). The following paragraph from the waste flow and site life section of the DEIR will be amended to clarify the waste disposal projections (deletions are indicated ~~in strikethrough print~~, additions are indicated in ***bold and italic print***):

Detailed results of the waste flow calculations are contained in Table 2.3 and Appendix E of the RDSI for Pumice Valley Landfill. The total annual amount of waste landfilled at Pumice Valley Landfill (Note: this does not include the tonnage processed through the transfer station) is estimated to increase from 685 tons per year in 2004 to 836 tons per year in 2023 (RDSI, Appendix E, Table E-1a). The resulting daily disposal rate is calculated to increase from 3.3 tons per day in 2004 to 4.1 tons per day in 2023 (RDSI, Appendix E, Table E-1a). Late in 2023, Benton Crossing Landfill is projected to reach capacity and the waste stream currently being landfilled there may be diverted to Pumice Valley Landfill. In 2023, 4,050 tons of waste may be re-directed from Benton Crossing Landfill. ~~In 2024, 39,300 tons may be re-directed, increasing the daily disposal rate to~~

~~112.1 tons/day. By 2028, the amount re-directed from Benton Crossing is estimated to increase to 41,300 tons annually, resulting in a daily disposal rate of 117.8 tons/day.~~ ***Table A shows the estimated disposal rates for landfilled waste if and when waste is redirected from Benton Crossing Landfill.***

Table A Estimated Disposal, Pumice Valley Landfill if and when waste is redirected from Benton Crossing Landfill

Note: Through 2023, the landfill will operate an average of 204 days/year. From 2024 through 2028, the landfill will operate 358 days/year. Pumice Valley Landfill = PV, Benton Crossing Landfill = BX.

	PV	*Redirected from BX*	*Total Annual*	*Disposal Rate*
2023	***836 tons/yr***	***4,050 tons/yr***	***4,886 tons/yr***	***24.0 tons/day***
2024	***842 tons/yr***	***39,300 tons/yr***	***40,142 tons/yr***	***196.8 tons/day***
2025	***848 tons/yr***	***39,800 tons/yr***	***40,648 tons/yr***	***199.2 tons/day***
2026	***854 tons/yr***	***40,300 tons/yr***	***41,154 tons/yr***	***201.7 tons/day***
2027	***860 tons/yr***	***40,800 tons/yr***	***41,660 tons/yr***	***204.2 tons/day***
2028	***867 tons/yr***	***41,300 tons/yr***	***42,167 tons/yr***	***206.7 tons/day***

Comment 4-G: Page 8: "*The impacts resulting from the operation of the landfill (traffic, noise, air quality) are discussed in appropriate sections of this DSEIR.*" Page 6: "*the EIR addresses the total waste received at the landfill site, including the waste processed through the transfer station.*" Please verify if the EIR address impacts for <u>both</u> the landfill and transfer station as this does not appear to be the case because the Estimated Waste Flow and Site Life section does not include the waste received at the landfill.

Response 4-G: The term "landfill site" is used in the DEIR to refer to the site as a whole, including both the landfill and transfer station. The DEIR addresses applicable impacts resulting from both operations located at the Pumice Valley site (traffic, noise, air quality), including impacts for both the landfill and transfer station, even though the transfer station was previously permitted and analyzed under CEQA. This is because traffic impacts and some associated noise and air quality impacts were calculated based on existing traffic at the landfill site (including traffic to the landfill and to the transfer station). It was not possible to separate existing traffic to the landfill and that to the transfer station and therefore it was not possible to separately calculate future impacts to traffic and associated noise and air quality impacts.

The Estimated Waste Flow and Site Life section addresses the quantity of waste currently landfilled at the site and the quantities projected to be landfilled at the site in both 2023 and 2028 since the amount of waste buried is used to determine site life. The Estimated Waste Flow and Site Life section does not include the total quantity of waste received at the landfill (including diverted waste) and does not include the waste received at the transfer station (including diverted waste) because those values are not applicable to calculating the operating life of the Pumice Valley Landfill.

Comment 4-H: Page 6 states "*On-site disposal is currently limited to inert debris and construction and demolition waste in an above-grade disposal area*." Page 10 states "*Solid waste is spread in loose and relatively thin layers and compacted using three to five passes by a bulldozer*." Is solid waste currently being landfilled at Pumice Valley or is this statement in reference to if/when the Benton Crossing Landfill waste stream is diverted to the Pumice Valley Landfill?

Response 4-H: Inert debris and construction and demolition waste are included in the definition of solid waste. The reference on page 10 is to the inert debris and construction and demolition waste that is currently being landfilled at Pumice Valley.

Comment 4-I: The landfill stockpiles soil, gravel, road grindings, and similar materials generated by road construction and other projects near the working face, to be used as daily cover. Please note that this material must be included in the maximum permitted tonnage received at the landfill.

Response 4-I: This material is included in the maximum permitted tonnage received at the landfill.

Comment 4-J: Page 10: "In the future, when municipal waste is accepted for disposal on-site, ADC will be applied over the active MSW disposal face at the end of each operating day, approximately six days per week." The SDEIR analyzed for operating 4 days per week (Monday, Wednesday, Friday and Saturday). Additional CEQA will be required if the facility is open more than 4 days per week.

Response 4-J: Although the Pumice Valley Landfill currently operates, and will continue to operate, four days per week, the reference is to the current seven day per week operation of the Benton Crossing Landfill, which would be adopted at Pumice Valley should the countywide waste stream be directed to Pumice Valley at the end of 2023. If it is determined that the waste stream will need to be redirected from Benton Crossing Landfill to Pumice Valley Landfill, the County will need to amend the Solid Waste Facilities Permit (SWFP) for Pumice Valley Landfill to reflect the conditions associated with its operation as a regional landfill. As part of the application for an amended SWFP, Mono County will prepare a supplemental environmental document prior to the closure of Benton Crossing Landfill. At that time, the additional operating hours will be analyzed.

Comment 4-K: The proposed project includes the implementation of an alternative frequency of cover placed in the construction and demolition waste management unit. If the landfill accepts more than 20 tons per day for disposal, the facility will no longer qualify for an alternate cover frequency per Title 27, CCR, Section 20680(f).

Response 4-K: Mono County is aware of the requirements in Title 27, CCR, Section 20680(f). If and when waste is redirected from Benton Crossing Landfill to Pumice Valley Landfill, daily cover will be applied to all working faces in compliance with state regulations.

Comment 4-L: If and when the waste stream is redirected from Benton Crossing Landfill, it is estimated that the height above grade will average about 25 feet but will range from a high of 42 feet at the northwest corner of the fill area to 12 feet at the

southeast corner of the fill area. What is the estimated height if the waste stream is not redirected from Benton Crossing? Additional drawings and details illustrating the site if waste is not redirected from Benton Crossing are needed.

Response 4-L: The estimated height of the Pumice Valley Landfill if the waste stream is not redirected from Benton Crossing Landfill from the end of 2023 through 2028 would be 12 feet. This height is approximately equivalent to one lift above surrounding grades plus the constructed thickness of final cover, which is roughly equivalent to current conditions (less the final cover) at the southeast corner of the landfill.

Comment 4-M: The SDEIR indicates that if and when the waste stream is redirected from Benton Crossing to Pumice Valley, additional structures and heavy equipment will be temporarily located on-site. Where will they be located?

Response 4-M: If and when waste is redirected from Benton Crossing Landfill, additional structures (e.g., hazardous waste storage buildings) and machinery (e.g., landfill compactor, motor grader, wheel loader, etc.) will be necessary to operate the landfill as a regional landfill. They will likely be located in an area adjacent to the existing transfer station and entrance gate. . If it is determined that the waste stream will need to be redirected from Benton Crossing Landfill to Pumice Valley Landfill when Benton Crossing Landfill reaches capacity in late 2023, the County will need to amend the Solid Waste Facilities Permit (SWFP) for Pumice Valley Landfill to reflect the conditions associated with its operation as a regional landfill. As part of the application for an amended SWFP, Mono County will prepare a supplemental environmental document prior to the closure of Benton Crossing Landfill. At that time, the location, quantity, and nature of additional structures and equipment may be analyzed further.

Comment 4-N: Throughout the document it is stated that the impacts will cease to be impacts once the site is cleared during closure construction and throughout the postclosure period. It also suggests that these impacts are "temporary." The landfill is not proposed to close until 2028; it is Board staff's opinion that 23 years is not temporary. Although the impacts may cease once it closes, the impacts must still be addressed in the SDEIR for the remaining 23 years of the landfill's existence and any long term ramifications the area will endure due to the landfill's existence at this site.

Response 4-N: The DEIR analyzes identified impacts and the long-term ramifications of those impacts throughout the life of the landfill and beyond, if applicable. All that is meant to be suggested by the statement that some impacts will cease to be impacts once the site is cleared during the closure and postclosure periods is that the site will be returned to an open space land use after the closure of the landfill and certain impacts (e.g., traffic, noise) will end at that time. The use of the word "temporary" was also meant to suggest that these impacts will occur only when the landfill is operating and will end once it reverts to an open space use.

Comment 4-O: The Pumice Valley Landfill is located in Mono Basin which is currently a non-attainment area for the state and federal standards for PM_{10}. The SDEIR states "Traffic to the landfill is not anticipated to increase significantly over the remaining 25-year life of the landfill; potential air quality impacts from vehicle

emissions are not anticipated to be significant." Table 1, Traffic Volume Calculations, indicate the peak daily traffic in 2004 is 30 and in 2028 is 178. This is a 593% increase in peak daily traffic and in Board staff's opinion, a significant increase. Please discuss the potential impacts to air quality from this increase in peak daily traffic to this site.

Response 4-O: As noted in the DEIR, the draft Solid Waste Facilities Permit (SWFP) for Pumice Valley Landfill provides for a permitted traffic volume of 30 vehicles per peak day. While the highest traffic volume per day is important, in circulation analyses for environmental documents traffic counts from the top five peak days are usually considered anomalies and are disregarded for the analysis. Traffic counts from the average weekly peak day (i.e., the upper part of the norm) are considered to be the important traffic volumes and are usually utilized for the analysis. Table 1 in the DEIR indicates that the average peak daily traffic will be 18.6 in 2004 increasing only to 22.4 in 2023 while Pumice Valley remains primarily a small transfer station with a relatively small service area. This will not create significant impacts to air quality.

If and when waste is redirected from Benton Crossing Landfill, the average peak daily traffic is estimated to increase to 98.7 vehicles in 2024 and 103.1 in 2028. While this seems statistically significant since it is a large percentage increase, the overall number of cars remains low and is not anticipated to create a significant impact.

The Mono Basin is a non-attainment area for state and federal air quality standards for PM_{10} as a result of airborne dust from the exposed lakebed of Mono Lake. As Mono Lake is rewatered, current air quality conditions may change. The supplemental EIR that will be prepared if and when waste is redirected from Benton Crossing Landfill will allow the County to consider any changes to the existing air quality conditions at that time.

Comment 4-P: The landfill is described as "situated between ephemeral drainages on relatively flat ground elevated above Mono Lake" and "*…a visually open area with long sight lines*". There are also two designated scenic highways in the area. Board staff believes a maximum height of 42 feet at the landfill to possibly be a significant impact on Visual Resources that cannot be mitigated. Please provide post-closure photo simulations.

Response 4-P: The maximum height of the landfill at closure will not be 42 feet. It will average 25 above grade and will vary from 42 feet above grade to 12 feet above grade. The proposed landfill top deck includes a north-south ridge varying in elevation from 6842 feet to 6844 feet and hinge elevations ranging between 6830 feet and 6840 feet. The surrounding natural grades range in elevation from 6816 feet at the south to 6800 feet at the north. From the long and middle distance viewpoints (e.g., from the scenic highways in the area) the viewer will perceive the landfill to be closer to the 12 feet above grade because what is seen from a distance is the top of the mesa, the flat ground elevated above adjacent drainages. The higher distances above grade occur in areas where the natural topography is now significantly lower than the adjacent mesa top. Those grades are not visible from the scenic highways and are not visible from many surrounding areas, due to intervening topography. Visual simulations have been prepared for the project, see Figures 2 and 3.

Comment 4-Q: What are the possible impacts of placing MSW on top of C&D waste in an unlined disposal area, especially given its proximity to Mono Lake and other related drainages?

Response 4-Q: In any unlined disposal area, there is the potential for leachate to percolate into the ground water. At Pumice Valley Landfill, generation of contact water is minimized through the application of daily cover and the diligent execution of grading practices that direct storm flows away from the active disposal area. The landfill design includes perimeter and internal run-off control facilities designed to collect and control precipitation and storm flows resulting from the 100-year, 24-hour storm event. Construction of the storm water control system will develop throughout the operational life of the landfill. The final design of the landfill includes drainage swales intended to promote rapid drainage off the waste mass. In addition, the final cover is intended to minimize infiltration of storm waters.

Groundwater quality at Pumice Valley Landfill has been monitored since 1990 in compliance with the Lahontan Regional Water Quality Control Board's (LRWQCB) Waste Discharge Requirements (WDRs) for the landfill. Currently, ground water monitoring and hydrologic measurements are conducted semi-annually. The same ground water monitoring program will continue throughout the postclosure monitoring period. Samples are analyzed for organic and inorganic compounds in compliance with the WDRs established by the LRWQCB. Ground water monitoring at the landfill has not detected the presence of toxic substances or movement of any such substances away from the landfill.

5. Inyo National Forest, Lee Vining Ranger District, Mono Basin National Forest Scenic Area

Comment 5-A: The FEIS acknowledges that the planned expansion will result in significant impacts to visual resources; however, the lack of detailed models, drawings, and an incomplete viewshed analysis leaves the degree of visual resource impacts undocumented.

Response 5-A: Visual simulations have been prepared for the project. See Figures 2 and 3.

Comment 5-B: Expresses concern about potential litter and debris and impacts that may result from a landfill expansion, i.e.:

> "I would also like to express our concerns about potential litter and debris and impacts that may result from a landfill expansion. The FEIR discusses the continued use of a six-foot high chain link fence as mitigation, in addition to the application of material covers. It is likely in such a high wind area, that expansion will result in increased debris and litter throughout the Scenic Area, as the FEIR acknowledges."

Response 5-B: Currently, municipal solid waste is disposed of only in the transfer station area at the landfill. Litter is confined to the transfer station area and any that does escape is contained by the 6-foot-high chain-link perimeter fence at the site and is picked up by staff on a daily basis. For the next 20 years, municipal solid waste will be accepted only at the transfer station and litter will be controlled there.

If and when municipal solid waste is redirected from Benton Crossing Landfill to Pumice Valley Landfill beginning in late 2023, that waste would be disposed of onsite and covered on a daily basis in compliance with state regulations. During the time municipal solid waste is disposed of onsite, a portable, semi-permanent five-foot high wire mesh fence would be installed around the working face and would be moved as necessary to encompass the downwind boundary of the active working face and to minimize the escape of blowing litter. The wire mesh fence would be painted a dark non-reflective tone (dark green or brown) in order to blend into the surrounding landscape. If necessary, permanent litter fencing along the downwind edge of the fill area would be installed if and when municipal solid waste is redirected from Benton Crossing Landfill to prevent the off-site migration of windblown litter. The permanent litter fencing would consist of a 40-foot tall wire net (see Figure 4, Prototype of Litter Fencing). The litter fencing would be a non-reflective, dark color in order to blend into the surrounding landscape. It would be a short-term use that would be installed at the time municipal solid waste is redirected and removed five years later at the end of the landfill's life.

FIGURE 2 Visual Simulation from Highway 395

FIGURE 3 Visual Simulation from Highway 120

FIGURE 4 Prototype of Litter Fencing, Bass Hill Landfill, Lassen County

Comment 5-C: Points to wildlife impacts that are not discussed in the FEIR. The Mono Basin is a recovering watershed, an area that is actively being restored. While vegetation conditions may not change drastically in the next fifteen to twenty years, restoration efforts are restoring the Basin's riparian ecosystems and resulting in increased habitat for many sensitive species. While the wildlife impacts in the FEIR are mostly thorough and well analyzed, the document does not give consideration to the ecological changes and the changing needs of certain species that may result in the next decade or two.

Response 5-C: Mono County recognizes that there may be changes in environmental conditions in the vicinity of the project over the next 20 years. However, CEQA requires analysis of the change in existing conditions that may result from a proposed project. Over the next 20 years, Pumice Valley Landfill will continue to operate as it does now, accepting municipal solid waste at the transfer station and disposing of a limited amount of inert debris and construction and demolition waste onsite. If it is determined that the waste stream will need to be redirected from Benton Crossing Landfill to Pumice Valley Landfill when Benton Crossing Landfill reaches capacity in late 2023, the County will need to amend the Solid Waste Facilities Permit (SWFP) for Pumice Valley Landfill to reflect the conditions associated with its operation as a regional landfill. As part of the application for an amended SWFP, Mono County will prepare a supplemental environmental document prior to the closure of Benton Crossing Landfill. At that time, changes in environmental conditions in the vicinity of Pumice Valley Landfill may be analyzed.

Comment 5-D: The expansion of the landfill, including the acceptance of new waste products, has the potential to affect the sage grouse population known to reside from

Mono Craters west to the base of the Sierra. Increased predation by animals attracted to the new waste materials and habitat impacts to the area around the landfill are a concern shared by Forest Service biologists. The comment provides additional information on sage grouse conservation efforts in the area.

Response 5-D: Mono County is aware of the current sage grouse conservation efforts occurring in various areas of the County and utilized data, including maps of sage grouse use areas, from the **Greater Sage grouse Conservation Plan for the Bi-State Plan Area of Nevada and Eastern California** (June 2004) in developing the analysis in the DEIR.

Excerpts from the **Greater Sage grouse Conservation Plan for the Bi-State Plan Area of Nevada and Eastern California**, included in the Pumice Valley Landfill DEIR, suggest that a variety of factors affect the mortality of sage grouse, that several factors may affect the grouse's vulnerability to predation, and that additional information is needed to clarify the impacts of predation on sage grouse.

Since Pumice Valley Landfill currently buries only inert waste and construction and demolition waste, predators, including predatory birds, are not a concern at the landfill. This will remain the same for the next 20 years since disposal operations will remain the same as they currently are during that period: municipal solid waste will be accepted at the transfer station and trucked to Benton Crossing Landfill for disposal while inert waste and construction and demolition waste will continue to be buried onsite.

In late 2023, if and when municipal solid waste is redirected from Benton Crossing Landfill and buried onsite, that waste may attract some predatory birds to the area. Mono County landfill operations are designed to minimize access to the working face by compacting and covering trash on a daily basis. Mono County landfills practice prudent refuse management practices, keeping only the active working face exposed during working hours. The rest of the landfilled material is covered at all times and the active working face is tightly covered at night. These practices minimize the possibility that scavengers such as coyotes and foxes can access the landfilled material and minimize the possibility that their numbers will increase as a result of the waste buried onsite. Anecdotal data from Benton Crossing Landfill staff indicates that the covered material is not disturbed at night.

Proposed mitigation measures in the DEIR are intended to minimize potential impacts from scavenger birds (crows, gulls, raptors) if and when municipal solid waste is redirected from Benton Crossing Landfill. A bird cannon will be utilized to keep away scavenger birds and poles utilized for litter fencing will be topped with spikes to prevent birds from perching on top of the poles and searching for prey.

Finally, the disposal area at Pumice Valley Landfill will expand vertically, not laterally. The total acreage designated for disposal will remain the same as it is now and only a small portion of that area, the active working face, will be exposed during working hours, minimizing the potential to attract scavengers.

6. Los Angeles Department of Water and Power (Bishop)

Comment 6-A: There are discrepancies in the tonnage and capacity values listed in the DEIR and those listed in the application for the revised Solid Waste Facility Permit/Waste Discharge Requirements for Pumice Valley Landfill (signed by Mono County and LADWP) in the fall of 2004. Please explain the discrepancies.

Response 6-A: The tonnage and capacity values listed in the application for the revised Solid Waste Facility Permit/Discharge Requirements for Pumice Valley Landfill were based on a five-year waste projection, which would be a sufficient permitted disposal rate until the next five-year permit review. However, the Local Enforcement Agency has written the draft Solid Waste Facility Permit to account for the 1,550 tons per year anticipated as a maximum disposal rate through 2023. The tonnage and capacity values listed in the DEIR are correct for environmental analysis purposes.

Comment 6-B: What are the noise related impacts of the bird cannon and what is the anticipated frequency of its use?

Response 6-B: The bird cannon will be utilized only if and when municipal solid waste is redirected from Benton Crossing Landfill in late 2023. By that time, alternative methods of bird control may be available. The supplemental environmental document that will be prepared if and when waste is redirected from Benton Crossing Landfill will address alternative methods of bird control, if necessary.

The bird cannon currently in use at Benton Crossing Landfill rotates and fires randomly throughout the weekdays while the working face is exposed. The bird cannon, while it contributes to the ambient noise level in the landfill vicinity, does not create any other impacts to wildlife in the area. The effects of the bird cannon on wildlife in the area are unknown but anticipated to be minimal. Pumice Valley Landfill is a long-term established use, with long-established noise patterns and levels. The proposed operation and expansion of the landfill will not substantially alter established noise patterns or levels.

Comment 6-C: Provide more information (size, aesthetics, placement, etc.) about the use of a portable litter fence if and when waste is redirected from Benton Crossing Landfill.

Response 6-C: If and when municipal solid waste is redirected from Benton Crossing Landfill to Pumice Valley Landfill beginning in late 2023, that waste would be disposed of onsite and covered on a daily basis in compliance with state regulations. During the time municipal solid waste is disposed of onsite, a portable, semi-permanent five-foot high wire mesh fence would be installed around the working face and would be moved as necessary to encompass the downwind boundary of the active working face and to minimize the escape of blowing litter. The wire mesh fence would be painted a dark non-reflective tone (dark green or brown) in order to blend into the surrounding landscape. If necessary, permanent litter fencing along the downwind edge of the fill area would be installed if and when municipal solid waste is redirected from Benton Crossing Landfill to prevent the off-site migration of windblown litter. The permanent litter fencing would

consist of a 40-foot tall wire net (see Figure 4, Prototype of Litter Fencing). The litter fencing would be a non-reflective, dark color in order to blend into the surrounding landscape. It would be a short-term use that would be installed at the time municipal solid waste is redirected and removed five years later at the end of the landfill's life.

Comment 6-D: Address potential water quality impacts to Rush Creek from the proposed water retention basin in the northwest corner of the proposed borrow pit.

Response 6-D: The proposed retention basin has been designed to retain on-site surface water generated from the 100-year storm event. Given the porous sandy nature of the soil on-site, it is the expert opinion of the County Public Works Director that storm waters will percolate before any are discharged. The storm water retention basin is not in an area that would collect large amounts of runoff. There are no anticipated water quality impacts to Rush Creek.

7. Mono Lake Committee

***Comment 7-A*:** The County should include in the DEIR a commitment to conducting further environmental analysis (i.e., a supplemental environmental document) closer to the time that the waste stream is redirected to Pumice Valley.

Response 7-A: If and when it is determined that the waste stream will need to be redirected from Benton Crossing Landfill to Pumice Valley Landfill, the County will need to amend the Solid Waste Facilities Permit (SWFP) for Pumice Valley Landfill to reflect the conditions associated with its operation as a regional landfill. As part of the application for an amended SWFP, Mono County will prepare a supplemental environmental document prior to the closure of Benton Crossing Landfill.

Comment 7-B: The DSEIR does not include a mitigation monitoring plan. Furthermore, it is important that the DEIR address the potential need to modify the mitigation plans (when the waste-stream is redirected to Pumice Valley), because it is likely that there will be new and better methodology available.

Response 7-B: A mitigation monitoring plan is included in the Final EIR for the project. If it is determined that the waste stream will need to be redirected from Benton Crossing Landfill, Mono County will prepare a supplemental environmental document prior to the closure of Benton Crossing Landfill and mitigation plans may be amended at that time.

Comment 7-C: It is difficult using the engineering drawings provided within the Appendix to evaluate the changes in the landscape (especially in height), when the waste stream is redirected. The Committee recommends simulating what the project will look like using the 5 viewpoints already described in the DEIR (page 36 and 37) in order to better understand and be able to comment on the potential visual impacts to the Scenic Area.

Response 7-C: Visual simulations have been prepared for the project; see Figures 2 and 3.

Comment 7-D: Information is provided on sage grouse populations in the area.
Response 7-D: See prior comments and responses on sage grouse in the area.

Comment 7-E: On Page 37, the DEIR states that Figure 5 contains photographs of the Pumice Valley Landfill, but it's really Figure 4.
Response 7-E: The reference to Figure 5 on page 37 is hereby corrected.

APPENDIX A

Pumice Valley Landfill Mitigation Monitoring Plan

Over the life of the project, the Mono County Community Development Department (Planning, Building, Code Enforcement) will utilize the Compliance Checklist for the Pumice Valley Landfill Use Permit/SEIR to ensure that all requirements, including approved mitigation measures, are met at the appropriate phase of the project. The final checklist will be maintained as a separate file for the project and will be consulted throughout the life of the project to ensure that development occurs in compliance with the provisions of the Use Permit and the SEIR.

Compliance Checklist: Pumice Valley Landfill Use Permit / Final SEIR

(A copy of pertinent permits or approvals should be attached to this checklist).

(This checklist addresses compliance for the Pumice Valley Landfill, including Use Permit conditions, and mitigation measures from the SEIR).

Project Benchmark: Within Six Months of Project Approval

Approvals / Permits / Mitigation Required		Monitoring Department	Contact for Compliance	Date Completed	Staff Initials	Notes
VW-2	The speed limit on Dross Road shall be limited to 25 mph. Within six months of the approval of this project, speed limit signs shall be posted on Dross Road at its junction with SR 120(E) and at the exit from the landfill.	CDD	Public Works			

Compliance Checklist: Pumice Valley Landfill Use Permit / Final SEIR

(A copy of pertinent permits or approvals should be attached to this checklist).

(This checklist addresses compliance for the Pumice Valley Landfill, including Use Permit conditions, and mitigation measures from the SEIR).

Project Benchmark: Prior to Issuance of Building Permits for On-Site Construction

	Approvals / Permits / Mitigation Required	Monitoring Department	Contact for Compliance	Date Completed	Staff Initials	Notes
VR-1	Building materials and colors for additional structures on-site (e.g., monitoring wells) shall be compatible with the surrounding environment. Reflective materials shall not be allowed. Colors shall be muted earth tones (i.e., browns, greens). Roof colors shall be muted, non-reflective dark earth tones (i.e., brown, green).	CDD	Public Works			
VR-2	Colors for any additional fencing shall be muted dark non-reflective tones (i.e., dark green or brown).	CDD	Public Works			

Compliance Checklist: Pumice Valley Landfill Use Permit / Final SEIR

(A copy of pertinent permits or approvals should be attached to this checklist).

(This checklist addresses compliance for the Pumice Valley Landfill, including Use Permit conditions, and mitigation measures from the SEIR).

Project Benchmark: Ongoing Throughout the Life of the Project

Approvals / Permits / Mitigation Required		Monitoring Department	Contact for Compliance	Date Completed	Staff Initials	Notes
GS-1	Construction activities on-site shall comply with all Mono County standards and best management practices for erosion control, including the following: a. Covering disturbed soils with wood chips until construction is complete. b. Controlling exotic weed species. c. Project phasing to minimize exposed or excavated areas. d. Watering of disturbed soils, particularly in high use areas. A water truck shall be present on-site during construction activities. e. Using wind erosion construction barriers on sites exposed to wind erosion during initial excavation. f. Covering, wind fencing around, or wetting of stockpiled earth materials. g. Limiting the speed of construction equipment, trucks, and other vehicles to 15 mph on-site.	CDD	Public Works Landfill Supervisor			
VW-1	The spread of weeds shall be deterred by covering stockpiled topsoil with tarps.	CDD	Public Works Landfill Supervisor			

Project Benchmark: Ongoing Throughout the Life of the Project, continued…

	Approvals / Permits / Mitigation Required	Monitoring Department	Contact for Compliance	Date Completed	Staff Initials	Notes
VW-3	On an on-going basis, the Mono County Department of Public Works shall provide information to the public, to contractors, to public agencies, and to private trash haulers concerning state requirements for covered loads on state highways.	CDD Public Works	Public Works Landfill Supervisor			
VW-4	If and when waste is re-directed from Benton Crossing Landfill, a bird cannon shall be utilized to keep away scavenger birds (e.g., gulls, crows). The bird cannon shall be moved around the landfill in a random pattern and shall be fired intermittently to maximize its effectiveness	CDD	Public Works			
VW-5	If a temporary litter fence is utilized at Pumice Valley Landfill during the period when waste is re-directed from Benton Crossing Landfill, poles utilized for the litter fencing shall be topped with spikes to prevent birds from perching on top of the poles.	CDD Public Works	Public Works Landfill Supervisor			
VW-6	Mono County shall work closely with sage grouse conservation efforts in Long Valley to minimize harm to sage grouse populations.	CDD Public Works	Public Works			
VW-7	The County shall restrict new construction activities during sage grouse breeding and nesting periods from March 15 through June 15 annually.	CDD Public Works	Public Works			

Project Benchmark: Ongoing Throughout the Life of the Project, continued…

Approvals / Permits / Mitigation Required		Monitoring Department	Contact for Compliance	Date Completed	Staff Initials	Notes
VR-3	Heavy equipment stored on-site shall be placed behind structures whenever possible.	CDD Public Works	Public Works Landfill Supervisor			
VR-4	Wind-blown litter shall be controlled, potentially through the installation of a portable litter fence or manually.	CDD	Public Works			
CR-1.	If evidence of potentially significant cultural resources is discovered during development, a mitigation plan shall be completed prior to further construction or earth disturbance.	CDD Public Works	Public Works Landfill Supervisor			
CR-2.	To protect Native American burial sites if they are discovered, the provisions of section 7050.5 of the Health and Safety Code shall be followed [CEQA Section 15126.4(b)].	CDD Public Works	Public Works Landfill Supervisor			

Compliance Checklist: Pumice Valley Landfill Use Permit / Final SEIR

(A copy of pertinent permits or approvals should be attached to this checklist).

(This checklist addresses compliance for the Pumice Valley Landfill, including Use Permit conditions, and mitigation measures from the SEIR).

Project Benchmark: During Closure Construction

Approvals / Permits / Mitigation Required		Monitoring Department	Contact for Compliance	Date Completed	Staff Initials	Notes
VR-5	Under the direction of the Public Works Director, a landscape architect shall create the final landform for the site prior to the start of the closure construction phase so that the landfill appears to be a naturally occurring mound with tapered toes and undulating surfaces. The landfill shall be constructed as indicated in the engineered drawings included in the Joint Technical Document (JTD) for the landfill. The landscape architect shall design the final cover over the engineered waste mass.	CDD	Public Works			
VR-6	The landfill, including the soil borrow pit in the expansion area, shall be revegetated during the closure construction phase with a native seed mix. The seed mix shall be planted at the optimal time of year for germination. Revegetated areas shall be monitored to achieve a density of cover similar to the density of cover in surrounding naturally vegetated areas.	CDD	Public Works			

APPENDIX B

Comment Letters from:

1. **Bureau of Land Management (Bishop)**
2. **California Department of Fish and Game**
3. **California Department of Forestry and Fire Protection**
4. **California Integrated Waste Management Board**
5. **Inyo National Forest, Lee Vining Ranger District, Mono Basin National Forest Scenic Area**
6. **Los Angeles Department of Water and Power (Bishop)**
7. **Mono Lake Committee**